

**PRIVILEGE LOG**  
**Betty Anne Waters v. Town of Ayer, et. al.**  
**C.A. No. 04-10521-GAO**

2084-2103	Docket Sheets, Nos. 82-4115, 82-4116	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2104-2146	Photos of Evidence provided to Forensic Science Assoc.	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2147-2150	Exhibit list, Comm v. Water, Docket Nos. 82-4115, 82-4116	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2151-2152	Certificate of Charles Janes, Certified Court Reporter	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2153	Memo to Petrice Provitola re: non-expert witness 3/13/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).

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2154-2163	Correspondence to D.A.'s office re: Kenneth Waters	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2164	Email correspondence between ADA Edward Dorsey and Allison Murray, DA support staff	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2165-2167	Memo to Petrice Provitola re: non-expert witness 3/13/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2168	Correspondence between ADA Sandra Hautanen and ADA Lynn Rooney re: Dr. Edward Blake	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2169-2180	Article "DNA on Trial" by Peter Boyer	<b>Documents are Available from Other Sources</b>
2181-2203	Legal Research	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).

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2204-2221	2 copies of email correspondence between ADA Hautanen and ADA Lynn Rooney re: Information from Forensic Science Assoc. website	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2222-2245	2 copies of Dr. Edward Blake's resume	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2246-2288	D.A.'s typed and Handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2289-2300	Various press article re: Kenneth Waters	<b>Documents are Available from Other Sources</b>
2301-2320	D.A.'s handwritten notes and legal research	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2321-2322	Memo to DA Martha Coakley re: DOJ DNA Testing Recommendations	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2323-2334	Article "DNA on Trial" by Peter Boyer	<b>Documents are Available from Other Sources</b>

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2335-2352	DOJ Post-Conviction DNA Testing Recommendations	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2353	Email correspondence between DA Martha Coakley and ADA Lynn Rooney re: DNA-post conviction relief	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2354	Interoffice memo by DA Marth Coakley re: DNA post conviction testing	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2355-2357	Fax from William Bennett to Mass. DAs re: press release	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2358-2359	Phone message from Barry Scheck	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2360-2384	Lab Reports 1980-1982	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2385-2387	D.A.'s handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2388-2389	Witness Stmt. re: Roseanna Perry	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2390-2393	D.A.'s handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2394-2395	Police report and D.A.'s handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3). <b>Documents are Available from Other Sources</b>

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2396-2397	Telephone message for ADA Calkins	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2398-2400	Handwritten notes and email re: Grand Jury subpoena	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3). <b>Grand Jury Secrecy:</b> Mass. R. Crim. P. 5(d).
2401-2402	Correspondence between Melrose Brow and ADA Edward Dorsey re: Public Records Req	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2404-2407	Handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2408	Ayer Police report re: Jeannie Brow, 7/1/80	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2409-2411	Handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2412-2502	2 copies, Forensic Science Associates Report 1 re: Kenneth Waters, 1/29/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2503-2546	2 copies, Forensic Science Associates Report 2 re: Kenneth Waters, 2/27/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2547-2613	Forensic Science Associates Report 1 re: Kenneth Waters, 1/29/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2614-2615	Envelopes from Forensic Science Associates	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f).
2616	Memo by ADA Maura Looney re: DNA post conviction testing	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).

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2617-2620	Memo from ADA Sahakian to DA Harshbarger re: Comm v. Kenneth Waters, 12/16/86	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2621-2628	Memo from ADA Sahakian to DA Harshbarger re: Comm v. Kenneth Waters, 4/23/87	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2639-2645	Correspondence between Barry Scheck and ADA Lynn Rooney re: draft of stipulation for release and testing of evidence	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2646-2663	Handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2664-2679	Fax to DA Martha Coakley from Barry Scheck re: Comm v. Kenneth Waters	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>



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2680-2682	Memo to Lynn Rooney from Eillen O'Brien re: summary of Comm v. Waters	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2683-2689	Correspondence between Barry Scheck and ADA Lynn Rooney re: draft of stipulation for release and testing of evidence	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2690-2694	Fax to DA Martha Coakley from Barry Scheck re: Comm v. Kenneth Waters w/ handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2695-2704	Legal Research	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2705-2708	Correspondence between Barry Scheck and ADA Lynn Rooney re: draft of stipulation for release and testing of evidence	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2709	Memo from Maura Looney to ADA Lynn Rooney re: Waters post-conviction request for DNA testing	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2710-2711	Memo from ADA Mary Ross to ADA Lynn Rooney re: post-conviction DNA testing seminar	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2712	A sign in sheet	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f).
2713-2719	Correspondence between Barry Scheck and ADA Lynn Rooney re: draft of stipulation for release and testing of evidence	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2720-2727	2 Copies, Correspondence between Barry Scheck and ADA Lynn Rooney re: revised stipulations for release and testing of evidence	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2728-2730	Copy of Motion to Dismiss, Maher v. Comm, w/ handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3). <b>Documents are Available from Other Sources</b>
2731	File Request by Eileen O'Brien re: Waters file w/ hand written notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2732-2733	Email correspondence between Lynn Rooney and Eileen O'Brien re: Kenneth Waters letter	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2734	Email correspondence between Scott Sarsfield and Eileen O'Brien re: Waters Trans.	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2735-2761	Comm v. Waters, Comm's Memo in Opp. of Mtn for New Trial	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2762-2773	Comm v. Waters, Comm's Opp. of Mtn for New Trial 7/22/85	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2774-2790	Comm v. Waters, Def's Memo in Support of Mtn for New Trial	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2791-2802	Comm v. Waters, Comm's Supp. Memo in Opp. of Mtn for New Trial, 9/16/85	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2803-2854	Internal Memo from DA Martha Coakley re: Post conviction DNA, 10/26/99	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
2825-2829	Fax from Barry Scheck to DA Martha Coakley re: Comm v. Kenneth Waters	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>

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2830-2958	DOJ Post-conviction DNA testing recommendations	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2959-2962	2 Copies of News Paper article "More rely on 'miracle' of DNA test" by Matthew Bruun	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
2963-3081	Comm v. Waters, Comm's Brief and Supp Record Append., SJC 3496; 3496A	<b>Documents are Available from Other Sources</b>
3082-3084A	Fax from Barry Scheck to DA Martha Coakley re: Comm. v. Kenneth Waters, 11/3/99	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
3085	Cover letter from ADA Fahey to Nancy Taylor, Ayer Police Dept., 3/30/1983.	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
3086-3098	Email correspondence from David Capeless re: Post conviction DNA working group	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).

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3099-3105	Interoffice email correspondence between various D.A.s w/ handwritten notes	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
3106-3109	Fax from Barry Scheck to DA Martha Coakley re: Kenneth Waters, 3/12/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
3110	Email Correspondence from Allison Murray, Support Staff D.A.'s Office, and James Connolly, re: Kenneth Waters, 1/31/01	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).
3111	Correspondence between Ellen Will, Forensic Science Associates and Sharon Convery, Mass. State Police, re: Kenneth Waters testing	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
N/A	Draft, Comm v. Waters, Unopp. Emergency Mtn for New Trial	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Attorney Work Product:</b> Fed. R. Civ. P. 26(b)(3).

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N/A	6 copies, Comm v. Waters, Comm's Brief and Record Append., SJC 3496; 3496A	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
N/A	Comm v. Waters, Probable Cause Hearing Trans., 3/30/83	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
N/A	5 copies, Comm v. Waters, Trans. Volume 1, 5/3/83	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
N/A	4 copies, Comm v. Waters, Trans. Volume 2, 5/4/83	<b>Federal &amp; Mass. Law Enforcement Investigative Privilege:</b> Fed. R. Civ. P. 45(C)(3)(A)(iii); Mass. Gen. L. ch. 4, § 7 cl. 26(f). <b>Documents are Available from Other Sources</b>
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